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November 15, 2002

CERTIFICATE OF MAILING 37 C.F.R 1.8

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Michale But

Date

Michael C. Barrett

**BOX DD** 

Commissioner for Patents Washington, DC 20231

RE:

U.S. Patent Application No. 09/882,805 entitled "METHOD AND APPARATUS FOR

COMBINED MAGNETOPHORETIC AND DIELECTROPHORETIC MANIPULATION OF

ANALYTE MIXTURES" - Peter R. C. Gascoyne et al.

Our reference: UTXC:625US Client reference: MDA99-044

Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references (A1-A27, B1-B21, C1-C73).

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:625US.

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Respectfully submitted,

Michall Butt Michael C. Barrett

Reg. No. 44,523

MCB/cmb Encl.: as noted

25231318.1

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter R.C. Gascoyne et al.

Serial No.: 09/882,805

Filed: June 14, 2001

For: METHOD AND APPARATUS FOR

COMBINED MAGNETOPHORETIC AND

DIELECTROPHORETIC

MANIPULATION OF ANALYTE

**MIXTURES** 

Group Art Unit: 1743

Examiner: Unknown

Atty. Dkt. No.: UTXC:625US

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#### INFORMATION DISCLOSURE STATEMENT

#### **BOX DD**

Commissioner for Patents Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as

defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first

Official Action reflecting an examination on the merits, and hence is believed to be timely filed

in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the

filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R.

§§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the

Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit

Account No.: 50-1212/UTXC:625US.

Applicants respectfully request that the listed documents be made of record in the present

case.

Respectfully submitted,

Michall Butt

Michael C. Barrett

Reg. No. 44,523

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P. 600 Congress Avenue, Suite 2400 Austin, Texas 78701 (512) 474-5201

Date:

November 15, 2002

Form PTO-1449 (modified)

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Atty. Docket No. UTXC:625US

Serial No.

List of Patents and Publications for Applicant's

Applicant

09/882,805

INFORMATION DISCLOSURE STATEMENT

Peter R.C. Gascoyne et al.

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	A5	5,454,472	10/3/95	Benecke et al.	209	127.1	8/19/92
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**EXAMINER:** 

**DATE CONSIDERED:** 

Form PTO-1449 (modified)

List of Patents and Publications for Applicant's

Atty. Docket No. UTXC:625US

Serial No. 09/882,805

**Applicant** 

Peter R.C. Gascoyne et al.

INFORMATION DISCLOSURE STATEMENT

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	В3	EP 0625267	11/23/94	Europe			<del></del>
	B4	EP 0680380	11/8/95	Europe		Ĩ	
	B5	EP 0691891	1/17/96	Europe			
	В6	EP 0898493	3/3/99	Europe			
	В7	GB 2266153	10/20/93	UK			
	В8	JP 1-196566	8/8/89	Japan			Abstract only
	В9	JP 5-126796	5/21/93	Japan			Abstract only
	B10	JP 6018523	1/25/94	Japan			Abstract only
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	B13	WO 91/11262	8/8/91	PCT			
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	B19	WO 96/31282	10/10/96	PCT			
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	B21	WO 99/62622	12/9/99	PCT			

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	C2	"Diagnostic dielectrophoresis-on-a-chip," <i>Science/Technology</i> , 77(8):32, 1999. Article printed from http://pubs.acs.org/hotartcl/cenear/99022/7708scitobox2.html on December26, 2000.
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List of Patents and Publications for Applicant's			Applicant Peter R.C. Gascoyne et al.		
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	C68	Washizu, "Electrostatic actuation of liquid droplets for microreactor applications," <i>IEEE Transactions on Industry Applications</i> , 34(4):732-737, 1998.
	C69	Yang et al., "Cell separation on microfabricated electrodes using dielectrophoretic/gravitational field-flow fractionation," Analytical Chem., 71(5): 911-918, 1999.
	C70	Yeh et al., "Effects of antraquinones of Polygonum cuspidatum on HL-60 cells," Planta Medica, 54:413-414, 1988.
	C71	Zborowski et al., "Continuous cell separation using novel magnetic quadrupole flow sorter," J. Mag. & Mag. Materials, 194:224-230, 1999.
	C72	Zhang and Hung, "Sensitization of HER-2/Neu overexpressing non-small cell lung cancer cells to chemotherapeutic drugs by tyrosine kinase inhibitor emodin," <i>Oncogene</i> , 12:571-576, 1996.
	C73	Zhang et al., "Suppressed transformation and induced differentiation of HER-2/Neu overexpressing breast cancer cells by emodin," Cancer Res., 55:3890-3896, 1995.
	C74	Co-pending U.S. Patent Application Serial Number 09/883,110 by Peter R.C. Gascoyne <i>et al.</i> , filed June 14, 2001.

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EXAMINER: DATE CONSIDERED: